

REMARKS

Claims 1, 2, 10, 11, 20-22, 24, 30-34, 36-38, 40-42, 44-46, 48, and 49 are pending in this application. Claims 1 and 30-33 are the independent claims. Claims 1, 11, 30-33, 36, 40, 44, and 48 are amended. 3-9, 12-19, 23, 25-29, 35, 39, 43, and 47 were previously cancelled. Reconsideration and allowance of the present application are respectfully requested.

Statement Under 37 C.F.R. 1.133(b)

In response to the telephonic interview conducted April 6, 2009 and the interview summary dated April 13, 2009, Applicant wishes to thank the Examiner for the courtesies extended during the interview. Applicant has reviewed the interview summary and has found it to be substantially accurate in describing the substance of the interview. During the interview, proposed claim amendments were presented to the Examiner. The Examiner indicated that the proposed claim amendments overcome the 35 U.S.C. §101 rejections of record. No agreement was made with regard to the art grounds of rejection of the claims.

Rejections under 35 U.S.C. §112

Claims 11, 33, 36, 39, 44, and 48 stand rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

The Examiner asserts that the word "off" and the limitation "playlist area physically separated from the navigation area" do not have support in the written description. Applicant has removed these limitations from the claims. Therefore,

Applicant respectfully requests that the rejections of these claims under 35 U.S.C. §112 be withdrawn.

Rejections under 35 U.S.C. §101

Claims 30, 31, 34, 36-38, and 40-42 stand rejected under 35 USC §101 because the claims are directed to a recording medium storing nonfunctional descriptive material. This rejection is respectfully traversed.

Applicant amends the claims to recite “computer readable medium” rather than “recording medium.” As discussed in the April 6, 2009 Examiner interview, the Examiner indicated that these amendments to the claims overcome this rejection. Therefore, Applicant respectfully requests that the rejections of these claims under 35 U.S.C. §101 be withdrawn.

Rejections under 35 U.S.C. §102 – Setogawa

Claims 1, 2, 10, 11, 20-22, 24, 30-34, 36-38, 40-42, 44-46, 48, and 49 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,424,793 (“Setogawa”). This rejection is respectfully traversed.

With regard to independent claim 1, the Examiner asserts that Setogawa disclosing all the claim limitations. Applicant asserts that Setogawa does not disclose “a reproduction of the main reproduction path being suspended during a reproduction of the side reproduction path and resumed at the suspended position after the reproduction of the side reproduction path,” as recited in claim 1. Applicant draws the Examiner’s attention to column 8, lines 53-67 of Setogawa which only disclose filming different camera angles, where the film is multiplexed together for later viewing. Applicant

asserts that the filming of different camera angles and the multiplexing of those angles for later viewing does not disclose "suspension" of a main reproduction path during reproduction of a side path. Additionally, Applicant asserts that the filming of different camera angles, and the multiplexing of the different camera angles, does not disclose a main reproduction path that is "resumed at the suspended position," as recited in claim 1.

Additionally, Applicant directs the Examiner's attention to column 13, lines 49-67 of Setogawa upon which the Examiner relies. Applicant submits that this portion of Setogawa only discloses a tune selection menu which is a chapter menu allowing a user to "jump" to a specific tune, with the capability of then automatically selecting an immediately preceding tune and playing the tune starting at the point of completion of the normal replay of the tune. Applicant submits that this portion of Setogawa which discloses "jumping" to a tune, with the capability of automatically selecting an immediately preceding tune and playing it at the point of completion of the normal replay of the tune does not disclose "suspension" of a main reproduction path during reproduction of a side reproduction path, where the main reproduction path is then "resumed at the suspended position," as recited in claim 1. For at least these reasons, Applicant asserts that Setogawa does not disclose all of the limitations of claim 1.

Applicant further asserts that Setogawa does not disclose "a navigation area storing a navigation file including a first path item including a navigation command executing the first playlist file and a second path item including a navigation command executing the second playlist file, the navigation file and the playlist files being separate from each other," as recited in claim 1. Applicant draws the Examiner's attention to at least column 5, lines 26-56 of Setogawa upon which the Examiner

relies on the disclosure of an asserted "playlist file" (program chain (PGC)). Applicant submits that the PGC is used for managing reproduction of video data which includes navigation commands directly identifying video data (VOB, CELL). Applicant therefore asserts that Setogawa does not disclose reproduction of video data managed by two separate files (a "navigation file," and a "playlist file"). For at least this reason, Applicant asserts that Setogawa does not disclose "the navigation file and the playlist files being separate from each other," as recited in claim 1. During the interview, the Examiner indicated he was not able to find this feature in the cited art.

Applicant further asserts that Setogawa does not disclose each of the components of the recited data structure of claim 1. Specifically, Setogawa fails to disclose "a playlist area storing a first playlist file including a playitem identifying the first video data and a second playlist file including a playitem identifying the second video data" and "a navigation area storing a navigation file including a first path item including a navigation command executing the first playlist file and a second path item including a navigation command executing the second playlist file," as recited in claim 1. As recited in claim 1, the "first playlist file" and the "first path item" are used for reproduction of a main reproduction path, whereas the "second playlist file" and the "second path item" are used for reproduction of a side reproduction path. As shown in FIG. 15, and as described in column 2, lines 1-19 of Setogawa, Setogawa only discloses that reproduction of the video data is managed by a program chain (PGC). The PGC manages reproduction of the video data by including a navigation command directly identifying the video data (VOB cells). Applicant therefore asserts that Setogawa does not disclose reproduction of a side reproduction path using "a second path item" including navigation commands executing "a second playlist file" with a

playitem identifying a second video data for the side reproduction path. For at least these additional reasons, Applicant asserts that Setogawa does not disclose all of the limitations of claim 1.

With regard to independent claims 30-33, Applicant asserts that these claims contain features similar to claim 1 such that at least the same arguments can be made.

For at least the reasons stated above related to independent claims 1 and 30-33, Applicant asserts that these claims are patentable. Due at least to the dependence of claims 2, 10, 11, 20-22, 24, 34, 36-38, 40-42, 44-46, and 48-49 on the independent claims, Applicant also asserts that these claims are patentable. Therefore, Applicant respectfully requests that this art ground of rejection of these claims under 35 U.S.C. §102 be withdrawn.

Rejections under 35 U.S.C. §103 – Setogawa in view of Kato

Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Setogawa in view of U.S. Patent Publication 2002/0145702 ("Kato"). This rejection is respectfully traversed.

For at least the reasons stated above, independent claim 33 is patentable over Setogawa. Applicant asserts that a review of Kato indicates that Kato does not remedy the deficiencies of Setogawa. Therefore, Applicant asserts that independent claim 33 is patentable over Setogawa in view of Kato. Therefore, Applicant respectfully requests that this art ground of rejection of this claim under 35 U.S.C. §103 be withdrawn.

CONCLUSION

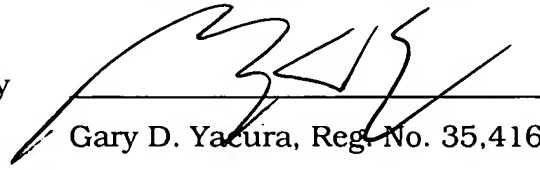
In view of the above remarks and amendments, Applicant respectfully submits that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By



Gary D. Yacura, Reg. No. 35,416

Corey E. Smith, Reg. No. 57,807

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

^{CES}
GDY/CES:eaf